

AFFARS PART 5309 Contractor Qualifications



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PART 5309 Contractor Qualifications

[Revised July 14, 2011]

(INTERIM CHANGE: See [Policy Memo 10-C-15](#))

SUBPART 5309.2 — QUALIFICATION REQUIREMENTS

5309.202 Policy

(a) The “designee” referenced in [FAR 9.202\(a\)](#) is the HCA.

5309.206 Acquisitions subject to qualification requirements (No Text)

5309.206-1 General

(b) The designee referenced in [FAR 9.206-1\(b\)](#) is the HCA.

(e)(3) Whenever a decision is made not to enforce a qualification requirement, the contracting officer shall request concurrence from the activity that established the requirement.

SUBPART 5309.4 — DEBARMENT, SUSPENSION, AND INELIGIBILITY

5309.401 Applicability

In addition to appropriated fund activities, this subpart applies to Air Force non-appropriated fund activities and activities responsible for non-procurement actions (e.g., grants, cooperative agreements, scholarships, fellowships, loans, loan guarantees, and subsidies).

5309.405 Effect of Listing

(a) The contracting officer shall submit a request for a compelling reason exception through command contracting channels to SAF/AQC (safaqc.workflow@pentagon.af.mil), with a copy to SAF/GCR. The request shall include a description of efforts taken to establish alternate sources and the impact if the exception is not granted. SAF/AQC will forward the approved exceptions to GSA.

5309.406 Debarment (No Text)

5309.406-3 Procedures

(a) *Investigation and referral.*

(i) The contracting officer or the referring person shall promptly notify [SAF/GCR](#) and their designated legal counsel with all known information relating to the following:

(1) Any non-responsibility determination.

(2) Any indictment, conviction, or civil judgment (including those listed on required certifications, or those disclosed in accordance with [FAR 3.1003](#) or [52.203-13](#)) relating to an offeror's or contractor's lack of integrity or business honesty, regardless of whether the indictment, conviction, or civil judgment related to a government contract.

(3) Any recommended termination for default.

(4) Any recommendation for debarment or suspension. The contracting officer shall also notify the cognizant legal office of any recommendation for debarment or suspension.

(5) Any debarred or suspended contractor who bids on a Government contract (including those who indicate debarment or suspension on required certifications).

(ii) The contracting officer shall provide additional information as requested by SAF/GCR.

(b) *Decision-making process.*

(2) If SAF/GCR determines that a hearing is required, the contracting activity shall provide witnesses and other support as requested.

5309.407 Suspension (No Text)

5309.407-3 Procedures

The contracting officer shall follow the procedures at 5309.406-3 above.

SUBPART 5309.5—ORGANIZATIONAL AND CONSULTANT CONFLICTS OF INTEREST

5309.503 Waiver

The HCA is authorized to waive [FAR 9.5](#) requirements.

5309.507-2 Solicitation Provisions and Contract Clause (INTERIM CHANGE: See [Policy Memo 10-C-15](#))